

**REMARKS**

Initially, by the present Response, Applicants have amended claims 1, 12, 20, 29, 31 and 37 to further clarify the invention. Further, Applicants have submitted a new Title of the Invention. In addition, Applicants have canceled claim 5, 13, 15, 21 and 30 without disclaimer. Claims 1-4, 6-12, 14, 16-20, 22-29 and 31-44 remain pending in the present application.

In the Office Action, the Examiner has required a new title of the invention. Further, claims 37-44 have been rejected under 35 U.S.C. §101. Claim 1 has been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,556,670 (Horn). Claims 20, 23, 28, 29, 31 and 36 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0076025 (Liversidge et al.). Claims 2, 3, 9-11 and 22 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Horn in view of Liversidge et al. Claim 4 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Horn in view of Liversidge et al. and further in view of U.S. Patent Application Publication No. 2004/0235509 (Burritt et al.). Claims 5 and 6 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Horn in view of U.S. Patent Application Publication No. 2004/0042103 (Mayer).

Claims 7 and 8 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Horn in view of Mayer and further in view of U.S. Patent No. 4,540,850 (Herr et al.). Claims 12-14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Herr et al. in view of Burritt et al. Claims 15-18 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Herr et al. in view of Burritt et al. and further in view of U.S. Patent No. 5,440,624 (Schoof II). Claim 19 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Herr et al. in view of Burritt et al. and Liversidge et al. Claim 21 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Liversidge et al. in view of Mayer. Claims 24, 30 and 32 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Liversidge et al. in view of Burritt et al.

Claims 25, 26, 33 and 34 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Liversidge et al. in view of Burritt et al. and Schoof II. Claims 27 and 35 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Liversidge et al. in view of Burritt et al., Schoof II and Herr. Claim 37 has been rejected under 35 U.S.C. §103(a) as being

unpatentable over Horn in view of Burritt et al. Claims 38 and 39 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Horn, in view of Burritt et al. and further in view of Herr et al. Claims 40-42 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Horn in view of Burritt et al., Herr et al. and Schoof II. Claims 43 and 44 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Horn in view of Burritt et al. and Liversidge et al.

### Specification Objections

The Examiner asserts that the title of the invention is not descriptive and has required a new title. Applicants have provided a new title of the invention in response to the Examiner's request.

### 35 U.S.C. §101 Rejections

Claims 37-44 have been rejected under 35 U.S.C. §101. Applicants have amended these claims to further clarify the invention and respectfully request that these rejections be withdrawn.

### 35 U.S.C. §102 Rejections

Claim 1 has been rejected under 35 U.S.C. §102) as being anticipated by Horn. Applicants respectfully traverse this rejection.

Horn discloses a solution to the music-on-hold problem associated with audio conference calls that occurs when a conferee having music-on-hold puts the conference call on hold, resulting in a continuous stream of music being transmitted to the other conferees. Such a conferee is called an offending conferee. The solution presented is to prevent music-on-hold signals emanating from an offending conferee from being passed through an audio conference bridge to the other conferees. This is accomplished by directing a merging/summing subsystem of the audio conference bridge to temporarily stop combining audio emanating from the offending conferee from being combined or merged onto audio channels through which the other conferees communicate on the audio conference. Once the music-on-hold is terminated, the offending conferee can rejoin the conference call by sending a signal that directs the merging/summing subsystem to resume the combining of audio signals emanating from the offending conferee onto the audio channels of the other conferees.

Applicant submits that Horn does not disclose or suggest the features in the combination of claim 1 of, inter alia, recording the conference from a disconnect time of any disconnected participant in response to the disconnected participant being disconnected, or discontinuing to record the conference and replaying the recording of the conference to the disconnected participant in response to the disconnected participant rejoining the conference. Horn merely relates to solving the music on-hold-problem where a conferee having music-on-hold puts the conference call on hold resulting in a continuous stream of music being transmitted to the other conferees. Horn discloses solving this problem by temporarily stopping the combining of the audio emanating from the offending conferee from being combined or merged onto audio channels through which the other conferees communicate on the audio conference. This is not recording the conference from a disconnect time of any disconnected participant in response to the disconnected participant being disconnected, as recited in the claims of the present application. Horn does not disclose or suggest recording a conference in response to a disconnected participant being disconnected. Moreover, Horn does not disclose or suggest discontinuing to record the conference and replaying the recording of the conference to the disconnected participant in response to the disconnected participant rejoining the conference. These features are neither disclosed or suggested by Horn. Horn merely relates to stopping an audio feed of a conferee who is not participating and remerging the audio feed when the conferee rejoins.

However, since in the Office Action in the rejection of other claims, the Examiner appears to assert that Burritt et al. and Schoof II disclose these features in the claims of the present application, these references will be addressed here.

Burritt et al. discloses a switching system adjunct that monitors a call between a calling and a called party and reestablishes the call when one of the parties has been or is being dropped. The reestablishment may be effected to a same or a different phone number of the dropped party, and may be effected via the same or a different medium (e.g., wired or wireless). The call record of the original call is merged into the call record of the reestablished call, thus preserving the context of entities involved in the call that exists at the time that the party is dropped.

Schoof II discloses to conduct automatically, and moderate absolutely, a networked electronic conference to provide order, maintain constant control, and ensure the best dissemination of information possible. A defined but flexible rule base governs the conference, as executed and interpreted by a conference controller. The rule base comprises a multitude of conference management options and techniques. A main feature is the ability to govern a conference according to a sequence-ordering scheme as defined in the rule base. Security features are provided, and an archived record of conference proceedings is maintained for playback review of the conference, with the option to playback the archived record at a normal recorded rate of speed, at a different rate of speed for voice recordings, or keyed on selective item criteria for an enhanced review of the recorded conference communications and proceedings.

The Examiner in the rejection of claim 13, appears to assert that Burritt et al. discloses recording the conference in response to at least one participant being in the disconnected participant list, at paragraph 29, lines 14-17. However, these portions merely disclose (as the Examiner states) that if a party is dropped from a conference call, the other participants may continue their conference and optionally record it for later delivery to the dropped party, or wait on hold for the dropped party to reconnect. This is not discontinuing to record the conference and replaying the recording of the conference to the disconnected participant in response to the disconnected participant rejoining the conference, as recited in the claims of the present application. Burritt et al. merely discloses recording the remainder of the conference and sending the recording to the dropped party, or waiting on hold for the dropped party to reconnect. Burritt et al. does not disclose or suggest discontinuing to record the conference and replaying the recording of the conference to the disconnected participant in response to the disconnected participant rejoining the conference, as recited in the claims of the present application.

Moreover, in the rejection of claim 15, the Examiner appears to assert that Schoof II discloses replaying a recording of the conference from a disconnect time to a present time for each participant in the disconnected participant list in response to a rejoicing participant rejoicing the conference, at column 9, lines 39-44 and column 10, lines 45-53. However, these portions of Schoof II merely disclose that a participant may change status in a conference from an active participation status to a hold status, tend to other business while in the hold mode, then

return to active participation at a later time, and that the participant has the option to play back a voice recorded archived record of the recorded conference communications and proceedings. This is not recording the conference from a disconnect time of any disconnected participant in response to the disconnected participant being disconnected or discontinuing to record the conference and replaying the recording of the conference to the disconnected participant in response to the disconnected participant rejoining the conference, as recited in the claims of the present application. Schoof II merely discloses that a participant has the option to play back an archived record of the recorded conference communications and proceedings. Schoof II discloses recording all conference communications and keeping a complete archive record of each conference communication (see, column 6, lines 64 - column7, line 10). This is not recording the conference from a disconnect time of any disconnected participant and discontinuing to record the conference and replaying the recording of the conference to the disconnected participant in response to the disconnected participant rejoining the conference.

Accordingly, Applicant submits that Horn does not disclose or suggest the features in the combination of claim 1 of the present application. Applicant respectfully requests that this rejection be withdrawn and that these claims be allowed.

Claims 20, 23, 28, 29, 31 and 36 have been rejected under 35 U.S.C. §102(b) as being anticipated by Liversidge et al. Applicants respectfully traverse these rejections.

Liversidge discloses a collaboration services suite being adapted to support a plurality of integrated telecommunications services accessed by geographically dispersed team members using a virtual team environment (VTE) client that generates a graphical user interface (GUI) for each of the respective team members. Communications sessions are automatically set up by the collaboration services suite in response to request messages generated by the VTE client when a team member initiates a communications session request using the GUI. Team members require no knowledge of another team member's communications device address in order to initiate a communications session. The collaboration services suite includes a VTE server that communicates with the VTE clients, a presence engine that collects and maintains a status of communications devices specified in a current profile of the team member; and, a call server for handling setup and control of a voice component of each communications session completed.

Regarding claims 20 and 29, Applicants submit that Liversidge et al., (nor any of the other cited references), disclose or suggest the features in the combination of each of these claims of, inter alia, recording the conference from a disconnect time of any disconnected participant in response to the disconnected participant being disconnected, or discontinuing to record the conference and replaying the recording of the conference to the disconnected participant in response to the disconnected participant rejoining the conference. Liversidge et al. merely relates to communications sessions being automatically set up by collaboration services suite in response to request messages generated by a virtual team environment client when a team member initiates a communications session request using a graphical user interface. Liversidge et al. does not disclose or suggest recording a conference from a disconnect time of any disconnected participant in response to the disconnected participant being disconnected or discontinuing to record the conference and replaying the recording of the conference to the disconnected participant in response to the disconnected participant rejoining the conference, as recited in the claims of the present application.

Regarding claims 23, 28, 31 and 36, Applicants submit that these claims are dependent on one of independent claims 20 and 29 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims.

Accordingly, Applicants submit that neither Liversidge et al. nor any of the other cited references in the Office Action taken alone or in any proper combination, disclose, suggest or render obvious the features in the combination of each of claims 20, 23, 28, 29, 31 and 36 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

#### 35 U.S.C. §103 Rejections

Claims 2, 3, 9-11 and 22 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Horn in view of Liversidge et al. Applicants respectfully traverse these rejections and submit that these claims are dependent on one of independent claims 1 and 20 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the features in the combination of each of claims 2, 3, 9-11 and 22 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

Claim 4 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Horn in view of Liversidge et al. and further in view of Burritt et al. Applicants submit that this claim is dependent on independent claim 1 and, therefore, is patentable at least for the same reasons noted previously regarding this independent claim.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the features in the combination of claim 4 of the present application. Applicants respectfully request that this rejection be withdrawn and that this claim be allowed.

Claims 5 and 6 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Horn in view of Mayer. Claim 5 has been canceled. Applicants submit that these claims are dependent on independent claim 1 and, therefore, are patentable at least for the same reasons noted previously regarding this independent claim.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the features in the combination of claim 6 of the present application. Applicants respectfully request that this rejection be withdrawn and that this claim be allowed.

Claims 7 and 8 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Horn in view of Mayer and further in view of Herr et al. Applicants submit that these claims are dependent on independent claim 1 and, therefore, are patentable at least for the same reasons noted previously regarding this independent claim.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the features in the combination of each of claims 7 and 8 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

Claims 12-14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Herr et al. in view of Burritt et al. Applicants respectfully traverse these rejections.

Regarding claim 12, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the features in the combination of this claim of, *inter alia*, continuing to record the conference in response to at least one participant being in the disconnected participant list, discontinuing to record the conference in response to the disconnected participant list being empty, or replaying a recording of the conference from a disconnected time of a disconnected participant to a present time for each participant in the disconnected participant list in response to a disconnect participant rejoining the conference. As noted previously, neither Herr et al. nor Burritt et al. disclose or suggest these features in the claims of the present application.

Claim 13 has been canceled. Regarding claim 14, Applicants submit that this claim is dependent on independent claim 12 and, therefore, is patentable at least for the same reasons noted previously regarding this independent claim.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the features in the combination of each of claims 12 and 14 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

Claims 15-18 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Herr et al. in view of Burritt et al. and further in view of Schoof II. Claim 15 has been canceled. Applicants submit that these claims are dependent on independent claim 12 and, therefore, are patentable at least for the same reasons noted previously regarding this independent claim.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the features in the combination of each of claims 16-18 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

Claim 19 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Herr et al. in view of Burritt et al. and Liversidge et al. Applicants submit that this claim is dependent on

independent claim 12 and, therefore, is patentable at least for the same reasons noted previously regarding this independent claim.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the features in the combination of claim 19 of the present application. Applicants respectfully request that this rejection be withdrawn and that this claim be allowed.

Claim 21 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Liversidge et al. in view of Mayer. This claim has been canceled rendering this rejection moot.

Claims 24, 30 and 32 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Liversidge et al. in view of Burritt et al. Claim 30 has been canceled. Applicants submit that these claims are dependent on one of independent claims 20 and 29 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the features in the combination of each of claims 24 and 32 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

Claims 25, 26, 33 and 34 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Liversidge et al. in view of Burritt et al. and Schoof II. Applicants submit that these claims are dependent on one of independent claims 20 and 29 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the features in the combination of each of claims 25, 26, 33 and 34 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

Claims 27 and 35 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Liversidge et al. in view of Burritt et al., Schoof II and Herr. Applicants submit that these claims are dependent on one of independent claims 20 and 29 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the features in the combination of each of claims 27 and 35 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

Claim 37 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Horn in view of Burritt et al. Applicants respectfully traverse this rejection.

Applicants submit that none of the cited reference, taken alone or in any proper combination, disclose, suggest or render obvious the features in the combination of this claim of, inter alia, recording the conference from a disconnect time of any disconnected participant in response to the disconnected participant being disconnected, or discontinuing to record the conference and replaying the recording of the conference to the disconnected participant in response to the disconnected participant rejoining the conference. As noted previously, none of these references disclose or suggest these features in the claims of the present application.

Regarding the rejections of claims 38-44, Applicants submit that these claims are dependent on independent claim 37 and, therefore, are patentable at least for the same reasons noted previously regarding this independent claim.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the features in the combination of each of claims 37-44 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

In view of the foregoing amendments and remarks, Applicants submit that claims 1-4, 6-12, 14, 16-20, 22-29 and 31-44 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested.

If the Examiner has any questions about the present Amendment or anticipates finally rejecting any claim of the present application, a telephone interview is requested.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 09-0461.

Respectfully submitted,

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